

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

GEORGE S. TRUESDALE,	)	
	)	
Plaintiff,	)	
v.	)	NO. CIV-12-1307-HE
	)	
CAROLYN W. COLVIN, Commissioner	)	
of Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**


Plaintiff George S. Truesdale filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for disability benefits and supplemental income payments under the Social Security Act. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Suzanne Mitchell, who recommends that the decision of the Commissioner be reversed and remanded for an immediate award of benefits. Objections to the magistrate judge's Report and Recommendation were due by January 19, 2014.

The parties, having failed to object to the Report and Recommendation, waived their right to appellate review of the factual and legal issues it addressed United States v. 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*" (emphasis added)). Accordingly, the court **ADOPTS** Magistrate Judge Mitchell's Report and Recommendation [Doc. #19], and **REVERSES** and **REMANDS** the action for an immediate

award of benefits.

**IT IS SO ORDERED.**

Dated this 11th day of February, 2014.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE